United Nations S/AC.44/2004/(02)/46

Security Council

Distr.: General
15 November 2004

Original: English

Security Council Committee established pursuant to resolution 1540 (2004)

Note verbale dated 28 October 2004 from the Permanent Mission of Nigeria to the United Nations addressed to the Chairman of the Committee

The Permanent Mission of the Federal Republic of Nigeria to the United Nations presents its compliments to the Chairman of the Committee and, with reference to his note verbale of 21 June 2004, has the honour to forward herewith the report of the Federal Government of Nigeria concerning the implementation of Security Council resolution 1540 (2004) (see annex).

04-61140 (E) 081204

Annex to the note verbale dated 28 October 2004 from the Permanent Mission of Nigeria to the United Nations addressed to the Chairman of the Committee

Report of the Federal Government of Nigeria concerning the implementation of Security Council resolution 1540 (2004)

Operative Paragraph 1

1. Nigeria does not provide any assistance to any non-State actor to develop, acquire, manufacture, possess, transport, transfer or use nuclear, chemical or biological weapons or their means of delivery. This springs from Nigeria's faithful obligation of relevant international instruments regarding non-proliferation of weapons of mass destruction.

2. Nigeria does not own or possess any nuclear, chemical or biological weapons, nor are there any such weapons located anywhere under her jurisdiction or control; she has not transferred or received, directly or indirectly, any nuclear, chemical or biological weapons. Nigeria does not have, and has never had, any nuclear, chemical or biological weapons production facility anywhere under her territory, and has not transferred either directly or indirectly, any equipment for the production of such weapons. She does not have any facility or establishment under her ownership, that has been designed, constructed or used for the development of nuclear, chemical or biological weapons.

Operative Paragraph 2

3. Nigeria is a party to the Treaty on Non-Proliferation of Nuclear Weapons, and abides by her obligations under the Treaty. The Treaty has been domesticated as part of Nigerian law. Nigeria has produced a draft legislation on the Chemical Weapons Convention in consultation with the Organisation for the Prohibition of Chemical Weapons (OPCW). This is being finalized by the Federal Ministry of Justice preparatory for its consideration by the Senate. Similarly, the draft legislation for the Biological Weapons Convention is being processed. Meanwhile, existing laws of the Federation are being reviewed to bring them in line with the provisions of both the Chemical and Biological Weapons Conventions.

Operative Paragraph 3 (a), (b) and (d)

4. Nigeria has established an Inter-Ministerial Council for the full implementation of the Convention on the Prohibition of the Development, Production, Stockpiling and Use of Chemical Weapons and on Their Destruction as well as the Convention on the Prohibition of the Development, Production and Stockpiling of Bacteriological (Biological) and Toxin Weapons and on Their Destruction. Nigeria has completed a national register on chemical materials imported, produced or consumed in the country and is vigorously pursuing the establishment of a chemical reference laboratory where chemical samples will be tested.

Operative Paragraph 3 (c)

5. Nigeria has established Joint Border Patrol activities with neighbouring States for the purpose of preventing, or detecting, any cross-border transfer of illicit weapons. This collaboration has continued to prove very useful in monitoring illegal activities at the borders relating to weapons.

Operative Paragraph 8

6. Nigeria remains committed to the implementation of the Treaty on Non-Proliferation of Nuclear Weapons and endorses the Final Document of the 2000 Review Conference of the Treaty which will contribute to the promotion of the objectives of the Treaty. As a demonstration of her commitment to the cause of nuclear non-proliferation, Nigeria played an important role in the establishment of the African Nuclear-Weapon-Free Treaty. Nigeria ratified the Treaty in 2000 and has been unrelenting in her calls on other countries to similarly act to ensure its early entry into force.

7. As part of her efforts to prevent proliferation of nuclear weapons globally, Nigeria has also supported the consolidation of the existing nuclear weapon-free zones as well as establishment of new ones on the basis of arrangements freely arrived at by the States in the regions concerned.

8. In 2003, Nigeria submitted its latest national report to OPCW in compliance with Article III of the Chemical Weapons Convention. Meanwhile, measures have been taken to sensitize the stakeholders and the general public to the challenges and obligations assumed by Nigeria under the Chemical and Biological Weapons Conventions.

9. Nigeria fulfils her obligations to multilateral cooperation under the statute of the International Atomic Energy Agency (IAEA). She has used her membership of IAEA to canvass for and support the use of nuclear energy for peaceful purposes. In that connection, Nigeria entered into a Comprehensive Nuclear Safeguards Agreement with the Agency under which any nuclear facility in her possession is subject to IAEA inspection.

Operative Paragraph 9

10. Nigeria has been consistent in promoting dialogue and cooperation on non-proliferation as a means of addressing the threat posed by proliferation of nuclear, chemical and biological weapons, and their means of delivery. She has done so in close collaboration with like-minded States on common initiatives within the context of the Conference on Disarmament and the United Nations General Assembly. For example, Nigeria joined consensus at the General Assembly in adopting resolutions 57/83 of 22 November 2002 and 58/48 of 8 December 2003 on measures to prevent terrorists from acquiring weapons of mass destruction. She acted in a similar manner on resolutions in favour of Chemical and Biological Weapons Conventions.

Operative Paragraph 10

11. Nigeria has always cooperated with other members of the international community in the fight against illicit acquisition of weapons of mass destruction and is resolved to enhance that cooperation to prevent illicit traffic in these and related weapons.

Ministry of Foreign Affairs
Abuja
Nigeria